

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

BBY SOLUTIONS, INC., BEST BUY STORES,)
L.P., and BESTBUY.COM, LLC,)

Plaintiffs,)

v.)

CIVIL ACTION NO.:10-cv-04726-MJD-AJB

KARRIE-LEE KARREMAN, ELISE)
MADELEINE PITRE,)
STEWART FOTHERINGHAM, and)
2182273 ONTARIO, INC.,)

JURY TRIAL DEMANDED

Defendants.)

**DECLARATION OF KELLY M. MCLAIN IN SUPPORT OF PLAINTIFFS'
APPLICATION FOR ENTRY OF DEFAULT BY CLERK AGAINST DEFENDANTS
KARRIE-LEE KARREMAN, ELISE MADELEINE PITRE, STEWART
FOTHERINGHAM, AND 2182273 ONTARIO, INC.**

KELLY M. McLAIN, pursuant to 28 U.S.C. §1764, hereby declares that the following is true and correct:

1. I am an attorney with Robins, Kaplan, Miller & Ciresi L.L.P., and I represent Plaintiffs BBY Solutions, Inc., Best Buy Stores, L.P., and Bestbuy.com, LLC ("Best Buy") in the above-captioned matter.

2. On November 23, 2010, Best Buy filed a Complaint naming Karrie-Lee Karreman, Elise Madeleine Pitre, Stewart Fotheringham, and 2182273 Ontario, Inc., as defendants, in the United States District Court, District of Minnesota, which was assigned case number 10-cv-04726-MJD-AJB.

3. Defendant Stewart Fotheringham was served with the Complaint on December 6, 2010. Attached as Exhibit A is a true and correct copy of the Affidavit of Service for Stewart Fotheringham.

4. Defendant Karrie-Lee Karreman was served with the Complaint on December 15, 2010. Attached as Exhibit B is a true and correct copy of the Affidavit of Service for Karrie-Lee Karreman.

5. Defendant Elise Madeleine Pitre was served with the Complaint on December 15, 2010. Attached as Exhibit C is a true and correct copy of the Affidavit of Service for Elise Madeleine Pitre.

6. Defendant 2182273 Ontario, Inc., was served with the Complaint on December 15, 2010. Attached as Exhibit D is a true and correct copy of the Affidavit of Service for 2182273 Ontario, Inc.

7. More than 21 days have elapsed since the dates that Defendants Karrie-Lee Karreman, Elise Madeleine Pitre, Stewart Fotheringham, and 2182273 Ontario, Inc., were served with the Summons and Complaint, excluding the date of service.

8. Defendants Karrie-Lee Karreman, Elise Madeleine Pitre, Stewart Fotheringham, and 2182273 Ontario, Inc. have failed to answer or otherwise defend against Best Buy's Complaint.

9. Best Buy's Complaint seeks, among other things, injunctive relief as set forth in its request for relief and additionally seeks costs of suit and statutory damages in an amount to be determined at the Court's discretion based on Best Buy's evidence to be presented at an evidentiary hearing that Best Buy requests to be held at a later date.

Signed under penalty of perjury on the date indicated below.

/s/ Kelly M. McLain
Kelly M. McLain (#0341058)

Dated: March 25, 2011